

EXHIBIT D

Guerrier, Pascale

From: Gulay, Erol <egulay@debevoise.com>
Sent: Thursday, September 9, 2021 4:04 PM
To: Waxman, Daphna A.; Guerrier, Pascale; Zornberg, Lisa; 'Tatz, Nicole'; 'Levander, Samuel'; 'mflumenbaum@paulweiss.com'; 'mgertzman@paulweiss.com'; 'Dearborn, Meredith (mdearborn@paulweiss.com)'; 'Linsenmayer, Robin (rlinsenmayer@paulweiss.com)'; 'Bunting, Kristina' (kbunting@paulweiss.com); 'mkellogg@kellogghansen.com'; 'rfigel@kellogghansen.com'; 'Oppenheimer, Bradley E. <boppenheimer@kellogghansen.com> (boppenheimer@kellogghansen.com)'; 'Pfeffer, Eliana M. (epfeffer@kellogghansen.com)'; 'White, Collin R.' (cwhite@kellogghansen.com); Gressel, Anna; Ford, Christopher S.; Ceresney, Andrew J.; 'Solomon, Matthew'; 'Janghorbani, Alexander'; 'Bamberger, Nowell D.'
Cc: Daniels, Jon; Moye, Robert M.; Hanauer, Benjamin J.; Stewart, Ladan F; Tenreiro, Jorge; Sylvester, Mark; Goody, Elizabeth
Subject: RE: Document Production-Recordings

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Daphna,

Contrary to your suggestion, Ripple has been completely transparent with the SEC about its process for identifying potentially responsive recordings, as described in our meet and confers and our correspondence to you of Aug. 20 and Aug. 23. We explained that we searched for potentially responsive recordings by reviewing both the custodians of each recording and the name of each meeting as they appear in lists of recorded meetings exported from the third party videoconferencing services, BlueJeans and Zoom. Despite these best efforts, there are unique discovery challenges associated with recordings, since one cannot search them using keywords like one can search emails or Slack messages. We also invited the SEC to identify other recordings of interest to you based on your review of our productions and have agreed to all of your requests so far, even a request made for the first time after fact discovery closed.

In the case of the meeting referenced in RPLI_SEC 0866480, the name of the meeting was generic, "Ripple's Meeting," and the custodian equally so, "Ripple VC." Nothing from the meeting name suggested that the recording would be responsive to your requests. This was exactly why we asked you to identify specific recordings which you were requesting that we review, which you have now done, and which we agreed to review and if responsive and non-privileged, produce. Ripple's compliance with its discovery obligations have gone above and beyond the requirements of the Federal Rules and we completely reject any suggestion to the contrary.

Thanks,
 Erol

From: Waxman, Daphna A. [mailto:WaxmanD@SEC.GOV]
Sent: Thursday, September 09, 2021 13:01
To: Gulay, Erol; Guerrier, Pascale; Zornberg, Lisa; 'Tatz, Nicole'; 'Levander, Samuel'; 'mflumenbaum@paulweiss.com'; 'mgertzman@paulweiss.com'; 'Dearborn, Meredith (mdearborn@paulweiss.com)'; 'Linsenmayer, Robin (rlinsenmayer@paulweiss.com)'; 'Bunting, Kristina' (kbunting@paulweiss.com); 'mkellogg@kellogghansen.com'; 'rfigel@kellogghansen.com'; 'Oppenheimer, Bradley E. <boppenheimer@kellogghansen.com> (boppenheimer@kellogghansen.com)'; 'Pfeffer, Eliana M. (epfeffer@kellogghansen.com)'; 'White, Collin R.'